

# Exhibit 2

Whyte Hirschboeck Dudek S.C.

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Board Certified Civil Trial Advocate  
National Board of Trial Advocacy

January 16, 2012

**VIA E-MAIL AND U.S. MAIL**

Mr. James Barger, Jr.  
Mr. Henry I. Frohsin  
Frohsin & Barger  
One Highland Plaza  
2151 Highland Avenue, Suite 310  
Birmingham, Alabama 35205

Ms. Nola J. Hitchcock Cross  
Mr. Noah Reinstein  
Cross Law Firm S.C.  
845 North 11th Street  
Milwaukee, WI 53233

**Re: United States of America, ex rel., Debra Paradies, London Lewis and Roberta Manley v. AseraCare, Inc., et al  
Case No. 08-CV-0384**

Dear Jim, Nola, Henry and Noah:

Given the number of lawyers and scale of activity in this lawsuit, I thought it might be useful to summarize in one place all of the discovery activities we have scheduled. After you have reviewed, I ask that one of you confirm what has been scheduled and let us know what else needs to be scheduled.

**Depositions That Have Been Scheduled**

<u>Deponent</u>	<u>Date/Time</u>	<u>Location</u>	<u>Court Reporter</u>
Tonja Rice	1/20/12 – 9:00 a.m.	Birmingham	Defendants responsible
Marsha Brown	1/24/12 – 9:00 a.m.	Birmingham	Defendants responsible
Dawn Richardson	1/27/12 – 9:00 a.m.	Montgomery	Defendants responsible
Angie Hollis	1/30/12 – 9:00 a.m.	Dallas	Relators responsible
Hal Price	1/31/12 – 9:00 a.m.	Dallas	Relators responsible
Dr. Micca	1/31/12 – 10:30 a.m.	Atlanta	Defendants responsible
Dr. J. Chua	2/7/12 – 10:00 a.m.	Milwaukee	Defendants responsible

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<u>Deponent</u>	<u>Date/Time</u>	<u>Location</u>	<u>Court Reporter</u>
Dr. Kuebler	2/14/12 – 9:00 a.m.	Birmingham	Defendants responsible
Dr. Kurtz	2/14/12 – 9:00 a.m.	Dallas	Relators responsible
Cindy Susienka	2/23/12 – 9:00 a.m.	Dallas	Relators responsible

***Depositions That Need to Be Scheduled***

Dr. James Avery (perhaps in Dallas before or after the depositions on 2/14 or 2/23).

***Interrogatories and Document Requests***

- We have agreed that plaintiffs will respond to defendants' interrogatories and document requests of December 12, 2011 on or before January 25, 2012; and
- We believe we are current in defendants' discovery obligations, however, if you contend that defendants are delinquent in any respects please advise as soon as possible.

Very truly yours,

  
Charles H. Bohl

CHB/sje

cc.: Mr. Jack Selden  
Mr. Chris Christie, Jr.  
Ms. Stacy Ward  
Mr. Andrew A. Jones